

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 EA-10 ISO-00 AF-10 ARA-10 NEA-10
AID-05 CEA-01 CIAE-00 COME-00 EB-08 FRB-03 INR-10
NSAE-00 ICA-11 OPIC-03 SP-02 TRSE-00 LAB-04
SIL-01 AGRE-00 OMB-01 SS-15 FTC-01 SEC-01 JUSE-00
L-03 DODE-00 PM-05 H-01 NSC-05 PA-01 /148 W
-----024222 150120Z /64

P 150055Z APR 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC PRIORITY 0729
INFO AMEMBASSY ANKARA
AMEMBASSY ATHENS
AMEMBASSY BERN
AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY CANBERRA
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
USMISSION GENEVA
AMEMBASSY HELSINKI
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY MADRID
AMEMBASSY OSLO
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY REYKJAVIK
AMEMBASSY ROME
AMEMBASSY STOCKHOLM
AMEMBASSY THE HAGUE
AMEMBASSY TOKYO
AMEMBASSY VIENNA
AMEMBASSY WELLINGTON

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BRUSSELS FOR USEEC

PARIS FOR USOECD

E.O. 11652: GDS
TAGS: EGEN, ECOSOC, UN

SUBJECT: ECOSOC WORKING GROUP ON CORRUPT PRACTICES

1. SUMMARY: AD HOC INTERGOVERNMENTAL WORKING GROUP ON CORRUPT PRACTICES SPENT LAST DAYS OF FIFTH SESSION DISCUSSING SOUTHERN AFRICAN ISSUES AND MUTUAL JUDICIAL ASSISTANCE ARTICLE. WORKING GROUP ADOPTED CONFERENCE ROOM PAPERS AND CERTAIN SECTIONS OF E/6006 THE REPORT OF THE WORKING GROUP TO COMPRISE A FULL, ALTHOUGH HEAVILY BRACKETED, TEXT. POSSIBILITIES FOR OECD CONSULTATIONS AND A RESUMED FIFTH SESSION ARE ALSO BEING DISCUSSED.

2. SOUTHERN AFRICA: AFRICAN DELS, LED DURING FIRST SESSION BY NIGERIA, REITERATED IN STRONG INTERVENTIONS THEIR DESIRE TO INCLUDE IN ANY ILLICIT PAYMENTS AGREEMENT MEASURES AGAINST THE PAYMENTS OF ROYALTIES AND TAXES TO ILLEGAL MINORITY REGIMES IN SOUTHERN AFRICA. US DEL RESPONDED BY RECOGNIZING THE HIGH PRIORITY AND IMPORTANCE THE US ATTACHES TO RESOLVING THE CONCERNS WITH REGARD TO SOUTHERN AFRICA AND US WILLINGNESS TO DISCUSS THE ISSUES. CANADIAN DEL MAINTAINED THAT SUBJECT WAS INAPPROPRIATE TO INCLUDE IN SUCH AN AGREEMENT AND THAT RECOGNITION OF SUCH MEASURES WOULD REQUIRE EXTRATERRITORIAL JURISDICTION WHICH CANADA HAS CONSISTENTLY BEEN UNWILLING TO ASSUME. OTHER WEO'S ASSOCIATED THEMSELVES WITH US AND CANADIAN STATEMENTS. FURTHER CONFIDENTIAL

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DISCUSSION WAS FORESTALLED BY GROUP'S DECISION TO KEEP BRACKETS FOR TIME BEING AND POSTPONE DISCUSSION ON SUBSTANCE TO A LATER STAGE. ZAMBIA, SPEAKING FOR AFRICANS, SAID THEY ATTACHED THE HIGHEST PRIORITY TO THIS CHAPTER AND EXPECTED RECIPROCAL SUPPORT FROM OTHER DELS. THE DISCUSSION WAS SHORT AND RESTRAINED BUT WILL CERTAINLY ARISE AGAIN.

3. JUDICIAL ASSISTANCE: ITALY AND JAPAN SUBMITTED PROPOSALS ON JUDICIAL ASSISTANCE WHICH WERE NOT DISCUSSED. US DEL INTRODUCED AMENDMENTS, AGAIN WITHOUT DISCUSSION DUE TO LACK OF TIME, WHICH MODIFIED THE ITALIAN AND JAPANESE PROPOSALS TO CONFORM TO NEEDS OF JUSTICE DEPARTMENT.

4. REPORTING AND DISCLOSURE: WORKING GROUP TRANSFERRED FULL TEXT ON REPORTING AND DISCLOSURE, WITH BRACKETS, FROM E/6006 TO NEW REPORT. JAPAN AND THE EEC REP PROPOSED NEW PARAGRAPHS ON RECORD KEEPING WHICH ARE CONSTRUCTIVE BUT FALL FAR SHORT OF US POSITION. US DEL DID NOT TABLE US FALL-BACK POSITION ON RECORD KEEPING AND NO DISCUSSION OF ISSUE TOOK PLACE.

5. OECD CONSULTATIONS: THE EEC HAVE PROPOSED OECD CONSULTATIONS BEGINNING TUESDAY OF FIRST WEEK IN JUNE. US DEL HAS INDICATED AD REFERENDUM WILLINGNESS OF US. TO PARTICIPATE.

6. RESUMED SESSION: WORKING GROUP HAS ASKED ECOSOC TO SCHEDULE A RESUMED SESSION DURING EITHER THE LAST WEEK IN JUNE OR FIRST WEEK IN JULY IN GENEVA. ECOSOC PLENARY SESSION WILL CONSIDER REQUEST NEXT WEDNESDAY AND WILL MOST LIKELY PASS IT ON TO THE COMMITTEE ON CONFERENCES. ECOSOC SECRETARIAT IS TAKING A RIGID POSITION THAT NO FACILITIES ARE AVAILABLE BUT MORE FLEXIBILITY IS LIKELY IN COMMITTEE ON CONFERENCES. CONFIDENTIAL

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ALTHOUGH THE MOVE FOR A RESUMED SESSION WAS ACCEPTED BY THE WORKING GROUP, OPINION WITHIN THE OECD IS DIVIDED ON WHETHER RESUMED SESSION COULD MEET QUORUM REQUIREMENTS NECESSARY FOR FORMAL SESSIONS. SUPPORT

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FOR A DIPLOMATIC CONFERENCE IS ALSO UNCLEAR. LEONARD

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Type: TE
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